

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

In re the application of: Blissard et al.  
For: GP64-NULL BACULOVIRUSES PSEUDOTYPED WITH HETEROLOGOUS  
ENVELOPE PROTEINS FOR GENE THERAPY  
Filed:  
Application No.:  
Art Unit:  
Attorney Docket No.: BTI-47CON

**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this information Disclosure Statement

1.  Preliminary Statements
2.  FORM PTO - 1449 (Modified)
3.  Statement As To Information Material To Examination Not Found in Patents or Publications
4.  Identification of Prior Application In Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted.
5.  Cumulative patents or Publications
6.  Copies of Listed Information Items Accompanying This Statement
7.  Concise Explanation of Non-English Language Listed Information Items.
8.  Translation(s) of Non-English Language Documents
9.  Certification under MPEP 609(e)
10.  Identification of Person(s) Making This Information Disclosure Statement

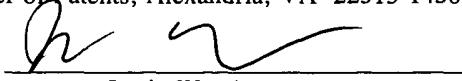
---

**CERTIFICATE OF MAILING**

Express Mail No.: EL637587197US

Date: June 20, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service, return receipt requested in an envelope addressed to: Commissioner of Patents, Alexandria, VA 22313-1450 on this date.



Justin Wood

## **Section 1. Preliminary statements**

Applicant submits herewith patents, publications or other information of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2. Form PTO - 1449 (Modified) (SEE ATTACHMENT)**

\*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance or not considered. Include a copy of this form with the next communication to applicant.

## **Section 3. Statement As To Information Material For Examination Not Found in Patents or Publications (Information not listed in PTO 1449)**

## **Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted**

**9/925,365**

**Attorney docket no: BTI-47**

**Blissard et al.**

**08/09/01 (Items AA-AF already submitted)**

## **Section 5. Cumulative Patents or Publications**

Item(s)

are cumulative of the following patents or publication listed on Form PTO 1449 (modified):

In accordance with 37 CFR 1.98(c) a copy of \_\_\_\_\_ is being submitted with this information disclosure statement.

## **Section 6. Copies of Listed Information Items Accompanying This Statement**

Legible copies of all items listed accompany this information statement.

Exception(s) to above:

- Items in prior application from which an earlier filing date is claimed for this application as identified in Section 4.
- Cumulative patents or publications identified in Section 5.

## **Section 7. Concise Explanation of Non-English Language Listed Information Items**

## **Section 8. Translation(s) of Non-English Language Documents**

Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information

considered to be material:

No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

#### Section 9. Certification under Rule 1.97

The undersigned hereby certifies that:

- a. This Statement is being filed after the latest of (1) three months after the filing date of a national application; (2) three months after the date of entry of the national stage as set forth in w 1.491 in an international application; (3) the mailing date of a first Office action on the merits.
- b. The fee set forth in §1.17(p)
  - Is being paid with this Information Disclosure Statement
  - Is not due because:
    - (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
    - (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the statement.

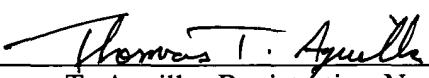
#### Section 10. IDENTIFICATION OF PERSON(S) MAKING THIS INFORMATION DISCLOSURE STATEMENT

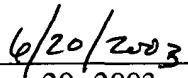
The person making this statement is

(a)  the inventor(s) who signs below

(b)  the attorney who signs below on the basis of:

the information supplied by the inventor(s)  
 an individual associated with the filing and prosecution of this application (37 CFR 1.56(c)).  
 the information in the attorney's file

  
Thomas T. Aquilla, Registration No. ~~34,390~~  
BROWN & MICHAELS, PC 43,473 TTA  
400 M&T Bank Building, 118 N. Tioga Street  
Ithaca, New York 14850-4343  
Voice: (607) 256-2000 Fax: (607) 256-3628

  
Date: June 20, 2003

e-mail: bpm@bpmlegal.com

Customer number: 020808

Section 2. Form PTO - 1449 (Modified) (ATTACHMENT)

FORM PTO-1449 U.S. DEPT. OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO. BTI-47CON	SERIAL NO.
	APPLICANT Blissard et al.	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE	GROUP

**U.S. PATENT DOCUMENTS**

Exam Initial		DOCUMENT NUMBER	DATE	PATENTEE	CLASS	SUB	FILING DATE IF APPROPR
				See Attached			

**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

Exam Initial		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB	TRANSLATION YES   NO

**OTHER PRIOR ART**

Exam Initial		Author, Title, Date, Pertinent Pages, Etc

Section 2. Form PTO - 1449 (Modified) (ATTACHMENT)

FORM PTO-1449 U.S. DEPT. OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO.	SERIAL NO.
	APPLICANT	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE	GROUP

**U.S. PATENT DOCUMENTS**

Exam Initial		DOCUMENT NUMBER	DATE	PATENTEE	CLASS	SUB	FILING DATE IF APPROPR

**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

Exam Initial		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB	TRANSLATION YES   NO
	AC	WO 98/11243	03/19/98	PCT	C12N	15/86	
	AD	WO 99/09193	02/25/99	PCT	C12N	15/86	
	AE	WO 00/05394	02/03/00	PCT	C12N	15/866	

**OTHER PRIOR ART**

Exam Initial		Author, Title, Date, Pertinent Pages, Etc
	AF	Barsoum et al. "Efficient Transduction of Mammalian Cells by a Recombinant Baculovirus Having the Vesicular Stomatitis Virus G Glycoprotein." HUMAN GENE THERAPY, XX, XX, VOL. 8, NO. 17, November 20, 1997, pg. 2011-2018.
EXAMINER		DATE CONSIDERED

Section 2. Form PTO - 1449 (Modified) (ATTACHMENT)

FORM PTO-1449 U.S. DEPT. OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO. BTI-47	SERIAL NO. 09/925,365
	APPLICANT Blissard et al.	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE 008/09/01	GROUP 1636

**U.S. PATENT DOCUMENTS**

Exam Initial		DOCUMENT NUMBER	DATE	PATENTEE	CLASS	SUB	FILING DATE IF APPROPR
	A						

**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

Exam Initial		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB	TRANSLATION YES   NO
	A						

**OTHER PRIOR ART**

Exam Initial		Author, Title, Date, Pertinent Pages, Etc
	AA	Boublik, Yven et al. "Eukaryotic Virus Display: Engineering the Major Surface Glycoprotein of the <i>Autographa californica</i> Nuclear Polyhedrosis Virus (AcNPV) for the Presentation of Foreign Proteins on the Virus Surface." <i>Biotechnology</i> . Vol. 13. October 1995. Pg. 1079-1084.
	AB	Mangor, J.T. et al. "A GP54-Null Baculovirus Pseudotyped with Vesicular Stomatitis Virus G Protein." <i>Journal of Virology</i> , Mar. 2001. P. 2544-2556.

EXAMINER	DATE CONSIDERED